

Current Statute (§49.151(1)(a)-(e), Stats.)	Current Rule (§DCF 101.21(1), W.A.C.)	Proposed Statute in Budget Bill §§1724-1733, 2015-17 AB21 repealing 49.151(1) and creating 49.151(1m)	Proposed Rule Language
		49.151(1c)(a) "Employer" means a subsidized or unsubsidized employer or a work experience provider.	
		49.151(1c)(b) "Employment" means subsidized or unsubsidized employment or an assigned work experience activity.	
	(1) Requires refusal 3 times before sanction can be imposed. (Multiple refusals are <u>not</u> required by statute)		
(a) Expresses verbally or in writing that he or she refuses to participate.	(b)1. Expresses verbally or in writing that he or she refuses to participate. (repeats statute)		
(b) Fails to appear for an interview.	(b)2. Fails to appear for an interview. (repeats statute)	49.151(1m)(a)1. Fails without good cause to appear for an interview with a prospective employer.	
(b) W-2T fails to appear for an assigned activity.	(b)2. W-2T fails to appear for an assigned activity. (repeats statute)	49.151(1m)(a)2. Fails without good cause to appear for an assigned work activity under 42 U.S.C. 607(d) or for an activity assigned by the Wisconsin works agency. (captures all employment positions)	
(c) Voluntarily leaves appropriate employment or training	(b)3. Voluntarily leaves appropriate employment or training without good cause as determined by the Wisconsin Works agency. (repeats statute)	49.151(1m)(b) Voluntarily leaves appropriate employment or training without good cause as determined by the Wisconsin Works agency. (moves from rule to statute)	Defines "appropriate" in the statute to mean consistent with the individual's skills, abilities, training, and experience.
(d) Loses employment as a result of being discharged for cause.	(b)4. Loses employment as a result of being discharged for cause. (repeats statute)	49.151(1m)(d) Discharged from appropriate employment or training for cause. (moves from rule to statute and expands to include discharge from training)	
	(b)5. Refuses to accept a bona fide offer of employment (adds to statutory list of behaviors and actions)		Refuses to accept a bona fide offer of employment (examples include failure to attend job interviews arranged by the W-2 agency, failure to attend the first day of employment arranged by the W-2 agency, failure to complete pre-employment requirements for employment arranged by the W-2 agency, and failure to follow-up on job leads provided by the W-2 agency)
(e) Other behavior or action specified by department by rule.	(b)6. Demonstrates by other behavior or action, as determined by the FEP, the he or she refuses to participate in a W-2 employment position. (delegating to FEP probably exceeds department's statutory authority to specify behavior or action that is refusal.)	49.151(1m)(f) Other behavior or action specified by rule.	
		49.151(1m)(c) Voluntarily leaves a work experience site without good cause. (new; not in prior statute or rule)	
		49.151(1m)(e) Discharged from a work experience site for cause. (new; not in prior statute or rule)	
			Engages in violent behavior towards or harasses any employee, customer, student, W-2 participant or visitor at a W-2 agency, place of employment, work experience site, training site, or site of any other activity assigned by the W-2 agency.
			Intentionally misrepresents his or her ability to participate in employment or an assigned activity.
			Fails to participate in a formal assessment assigned by the W-2 agency.
			Misses hours of required activities without good cause that results in a reduction of the grant amount under s. 49.148(1)(b) or (c), Stats., totaling 50 percent or more of the total grant for 2 consecutive months or for 3 or more non-consecutive months during any 6-month period.
			May need definition of "violent behavior" and "harasses".
			Not cooperating with W-2 agency efforts to conduct an informal assessment (need specific examples from W-2 agencies of the behaviors or actions)